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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 BRENDA BERNICE MENDOZA, an  
11 individual,

Case No.: 2:24-cv-00123-RFB-BNW

12 Plaintiffs,

**STIPULATION TO EXTEND  
DISCOVERY  
(First Request)  
[ECF No. 12]**

13 vs.

14 THE LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT; DOE OFFICERS  
OF THE LAS VEGAS METROPOLITAN  
15 POLICE DEPARTMENT I-X; ROE  
CORPORATIONS I through X, inclusive; and  
16 DOES I through X, inclusive,

17 Defendants.

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19 IT IS HEREBY STIPULATED AND AGREED between the parties that the discovery  
20 cut-off date of August 5, 2024, be continued for a period of ninety (90) days up to and including  
21 **November 4, 2024**, for the purpose of allowing the parties to conduct written discovery, serve  
22 third-party subpoenas, conduct depositions, and to retain any necessary expert and rebuttal  
23 experts.

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**I. DISCOVERY COMPLETED TO DATE**

Defendant, Las Vegas Metropolitan Police Department (“LVMPD”) provided its initial Rule 26 Disclosures to Plaintiff. Plaintiff has not yet provided her initial disclosures. LVMPD served written discovery (Requests for Production of Documents and Requests for Admissions) on Plaintiff. Responses to the written discovery are due July 8, 2024.

**II. DISCOVERY YET TO BE COMPLETED**

Plaintiff will provide her initial disclosures and responses to written discovery to LVMPD. The parties are currently vetting the need for any expert witnesses, third-party subpoenas and depositions to be taken. If necessary, the parties will retain and disclose expert and rebuttal expert reports; serve third-party subpoenas; and take depositions. Additional written discovery will be served by Plaintiff and LVMPD.

**III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

Plaintiff initially filed suit through attorney Leo Flangas. However, due to the nature of the claims in this litigation, Plaintiff and Mr. Flangas have determined it would be in the best interest of Plaintiff to be represented by Counsel familiar with litigating § 1983 cases: E. Brent Bryson. Mr. Bryson submitted an Order to the Court to substitute as Counsel on April 30, 2024, [ECF No. 13]. On May 1, 2024 the Court struck the Order as a Motion to Substitute was not filed. [ECF No. 14]. Mr. Bryson will be filing the appropriate Motion. Because Mr. Bryson will be litigating this matter, the parties have not conducted any meaningful discovery yet, and request the instant extension.

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#### IV. PROPOSED EXTENDED DEADLINES

The parties respectfully request this Court enter an order as follows:

Deadline	Current Date	Proposed New Date
Discovery Cut Off	August 5, 2024	November 4, 2024
Disclosure of Experts	June 6, 2024	September 5, 2024
Disclosure of Rebuttal Experts	July 8, 2024	October 7, 2024
Dispositive Motion Deadline:	September 5, 2024	December 4, 2024
Pre-Trial Order	October 4, 2024	January 3, 2025

##### (A) Motions in Limine/*Daubert* Motions.

Under LR 16-3(b), any motions in limine, including *Daubert* motions, shall be filed and served 30 days prior to the commencement of Trial. Oppositions shall be filed and served 14 days thereafter. Reply briefs will be allowed only with leave of the Court.

##### (B) Pretrial Order.

Pursuant to LR 26(1)(e)(5), the Joint Pretrial Order shall be filed with this Court no later than thirty days after the date set for filing dispositive motions, unless dispositive motions are filed, in which case the date for filing the Joint Pretrial Order shall be suspended until 30 days after the decision on the dispositive motions or further order of this Court. The disclosures required by FRCP 26(a)(3) and any objections shall be included in the final pretrial order.

##### (C) Extensions or Modification of the Discovery Plan and Scheduling Order.

In accordance with LR 26-3, applications to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend a deadline set forth in a discovery plan shall be received by the Court not later than 21 days before

the expiration of the subject deadline. A request made after the expiration of the subject deadline shall not be granted unless the movant demonstrates that the failure to set was the result of excusable neglect. Any motion or stipulation to extend a deadline or to reopen discovery shall include:

- (a) A statement specifying the discovery completed;
- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan; and
- (d) A proposed schedule for completing all discovery.

The parties submit that good cause exists for an additional extension of the discovery deadlines. Because of the nature of the case and claims, there have been some delays due a change in Counsel for Plaintiff. This request is timely. This brief delay will not impede this matter and, in fact, will assist all parties to complete all necessary discovery. No Trial has been set and dispositive motions have not yet been filed.

DATED this 6th day of June, 2024.

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**IT IS SO ORDERED.**

DATED this 10 day of June, 2024.

  
 UNITED STATES MAGISTRATE JUDGE